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General Assembly

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Fifty-seventh session
Item 104 of the provisional agenda*
Advancement of women

Status of the Convention on the Elimination of All Forms of Discrimination against Women

Report of the Secretary-General**

Summary

The present report is submitted in compliance with General Assembly resolution 56/229 of 24 December 2001 on the Convention on the Elimination of All Forms of Discrimination against Women, in which the Assembly requested the Secretary-General to submit to it at its fifty-seventh session a report on the status of the Convention.

* A/57/150.

** The present report was submitted after the 10-week deadline in order to include the results of the exceptional session of the Committee on the Elimination of Discrimination against Women, which ended on 23 August 2002.

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I. Status of the Convention on the Elimination of All Forms of Discrimination against Women

1. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was adopted by the General Assembly by resolution 34/180 of 18 December 1979. It was opened for signature, ratification and accession in New York on 1 March 1980 and, in accordance with article 27, entered into force on 3 September 1981.

2. As at 31 August 2002, 170 States parties had ratified, acceded or succeeded to the Convention, of which 60 had acceded to it and 7 had succeeded to it. In addition, 3 further States were signatories to the Convention. The most recent States to ratify the Convention were Bahrain, on 18 June 2002, and Solomon Islands, on 6 May 2002.

3. As at 31 August 2002, 35 States parties had deposited with the Secretary-General instruments of acceptance to the amendment to article 20, paragraph 1, of the Convention, relating to the periodicity and duration of the meetings of the Committee on the Elimination of Discrimination against Women. During the period from 1 August 2001 to 31 August 2002, the following States parties deposited their instrument of acceptance of the amendments as follows: China, on 10 July 2002; Cyprus, on 30 July 2002; Egypt, on 2 August 2001; Germany, on 25 February 2002; Iceland, on 8 May 2002; Jordan, on 11 January 2002; Lesotho, on 12 November 2001; Maldives, on 7 February 2002; Mali, on 20 June 2002; Niger, on 1 May 2002; and Portugal, on 8 January 2002.

4. During the period from 1 August 2001 to 31 August 2002, reservations were entered by the Kingdom of Bahrain to articles 2, 9, paragraph 2, 15, paragraph 4, 16 and 29, paragraph 2.

5. During the period from 1 August 2001 to 31 August 2002, objections to reservations were received from Austria, Denmark, Finland, France, Germany, Norway, Spain and Sweden. A communication relating to reservations was received from Ireland. A withdrawal of reservations was received from Germany on 10 December 2001.

II. Status of the Optional Protocol to the Convention

6. By its resolution 54/4 of 6 October 1999, the General Assembly adopted the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. The Optional Protocol, which entitles individuals and groups of individuals to submit communications concerning alleged violations of the Convention in a State party to the Convention and the Protocol, allows the Committee to inquire of its own motion into grave or systematic violations of the Convention. The Optional Protocol was opened for signature, ratification and accession at United Nations Headquarters on 10 December 1999 and entered into force on 22 December 2000.

7. As at 31 August 2002, 75 States parties had signed the Optional Protocol and 43 had ratified or acceded to it. States parties to become party to the Optional Protocol during the period from 1 August 2001 to 1 August 2002 were: Costa Rica, on 20 September 2001; Cyprus, on 26 April 2002; the Dominican Republic, on 10 August 2001; Ecuador, on 5 February 2002; Georgia, on 1 August 2002; Germany, on 15 January 2002; Greece, on 24 January 2002; Guatemala, on 9 May 2002; Kazakhstan, on 24 August 2001; Kyrgyzstan, on 22 July 2002; Liechtenstein, on 24 October 2001; Mexico, on 15 March 2002; Mongolia, on 28 March 2002; the Netherlands, on 22 May 2002; Norway, on 5 March 2002; Portugal, on 26 April 2002; Solomon Islands, on 6 May 2002; and Venezuela, on 13 May 2002. By its decision 24/I, taken in January 2001, the committee on the Elimination of Discrimination against Women established a five-member Optional Protocol Working Group in accordance with its rules of procedure. The Group has met three times since its establishment to devise working methods for the Committee with respect to its functions under the Optional Protocol. It also formulated a draft model communications form for those seeking to submit petitions under the Optional Protocol.

III. Committee on the Elimination of Discrimination against Women

A. Capacity to fulfil its mandate

1. Fulfilment by States parties of reporting obligations

8. Article 18, paragraph 1, of the Convention provides that States parties undertake to submit reports on the implementation of the Convention within one year after its entry into force for the State party concerned and thereafter at least every four years and further whenever the Committee on the Elimination of Discrimination against Women so requests.

9. From 1 August 2001 to 31 August 2002, the reports of eight States parties were received by the Secretary-General: Albania (combined, initial and second periodic reports); Argentina (fifth periodic report); Canada (fifth periodic report); Congo (combined, initial, second, third, fourth and fifth periodic reports); Ecuador (combined fourth and fifth periodic reports); Guatemala (fifth periodic report); Luxembourg (fourth periodic report); and Yemen (fifth periodic report).

10. From 1 August 2001 to 31 August 2002, the Committee considered, at its twenty-sixth and twenty-seventh sessions, 25 reports submitted by 14 States parties: two initial reports; two combined initial, second and third periodic reports; one combined second and third periodic report; five combined third and fourth periodic reports; two fourth periodic reports; one combined fourth and fifth periodic report; and three fifth periodic reports. The reports of 11 States parties were considered by the Committee during its exceptional session, held from 5 to 23 August 2002, which had been authorized by the General Assembly in its resolution 56/229.[1]

2. Reports awaiting consideration and overdue reports

11. As at 31 August 2002, reports submitted by 17 States parties had yet to be considered by the Committee. The Committee will consider the reports of the eight States parties during its twenty-eighth session in January 2003. As at 31 August 2002, there were 263 overdue reports, of which 45 were initial reports, 61 were second periodic reports, 59 were third periodic reports, 48 were fourth periodic reports and 50 were fifth periodic reports.

B. Working methods of the Committee

Decisions and suggestions

12. The Committee on the Elimination of Discrimination against Women met from 22 to 24 April 2002 at the Raoul Wallenberg Institute for Human Rights and Humanitarian Law in Lund, Sweden, in an informal seminar to consider its working methods. On the basis of discussions at that seminar, the Committee adopted new reporting guidelines, which, inter alia, provide suggested page limitations for the reports of States parties. The Committee also reiterated its decision 23/II, in which it decided on an exceptional basis, and as a temporary measure, to invite States with more than one overdue report to combine these reports in a single document. An incremental strategy to encourage reporting by States parties was also adopted, with the Committee deciding that non-reporting States parties, in particular those whose reports were five years or more overdue, would receive reminders on a systematic basis. States parties would also be advised of the availability, on their request, of technical assistance from the Division for the Advancement of Women. The Committee also decided to recommend that the issue of non-reporting should be included on the agenda of the meeting of chairpersons of human rights treaty bodies, with a view to the adoption of a coordinated approach to non-reporting by the chairpersons. The Committee convened an informal meeting of States parties on 17 June 2002 during its twenty-seventh session in June 2002. This meeting enabled States parties and the Committee to exchange views, including on timely reporting.

13. At its twenty-sixth session, the Committee adopted a statement on gender and sustainable development, to be forwarded to the preparatory committee for the World Summit on Sustainable Development, which was held in Johannesburg, South Africa, from 26 August to 4 September 2002. At the same session, the Committee also adopted a statement on ending discrimination against older women through the Convention, to be forwarded to the preparatory committee for the World Assembly on Ageing, which was held in Madrid from 8 to 12 April 2002. The Chairperson and another member represented the Committee at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001. It was also represented at the World Assembly on Ageing and the special session of the General Assembly on children, held from 8 to 10 May 2002.

14. At its twenty-sixth session, in January 2002, the Committee also adopted a statement of solidarity with Afghan women.

IV. Efforts to encourage universal ratification of the Convention, its Option Protocol and acceptance of the amendment to article 20, paragraph 1, of the Convention

15. The Special Adviser to the Secretary-General on Gender Issues and Advancement of Women and the Director of the Division for the Advancement of Women have continued their efforts to encourage universal ratification of the Convention and the Optional Protocol and to ensure acceptance of the amendment to article 20, paragraph 1, of the Convention. In collaboration with the Office of Legal Affairs and the Treaty section and the United Nations Children's Fund, the Division for the Advancement of Women organized a panel discussion during the special session of the General Assembly on children, which sought to encourage signature and ratification of international treaties relevant to the rights of women and children, in particular, the Convention and its Optional Protocol. The panel discussion also underlined the importance of the international rule of law; the potential use of international law at the national level to advance the enjoyment by women and children of human rights; and the complementarity of the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child.

V. Technical assistance provided to States parties

16. The Division for the Advancement of Women offers technical assistance to States parties at their request. In collaboration with the Economic and Social Commission for Asia and the Pacific, the Division will convene a training workshop from 6 to 8 November 2002 for States parties which have not as yet submitted initial reports. The training workshop will be followed by a judicial colloquium on the domestic application of the Convention on the Elimination of All Forms of Discrimination against Women.

VI. Dissemination of the Convention, its Optional Protocol and information on the work of the Committee

17. The Division for the Advancement of Women maintains a section on its home page on the Internet dedicated to the Convention, its Optional Protocol and the work of the Committee. The text of the Convention and its Optional Protocol, the reports of States parties, documents prepared for the Committee, the Committee's concluding comments and other relevant information are posted on the CEDAW web site. Links between the Division's home page and other sites, including that of the Office of the United Nations High Commissioner for Human Rights, allow cross-reference to other pertinent documents. The Office of the High Commissioner for Human Rights and the Division for the Advancement of Women maintain a database containing information on the submission of reports by States parties and communications under the various human rights treaties.

Notes

[1] For the report of the Committee on its twenty-sixth session, see A/56/38 (Part I). The final report of the Committee on its twenty-sixth, twenty-seventh and exceptional sessions will be issued as *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 38* (A/57/38).

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Agenda item 102
Advancement of women

Status of the Convention on the Elimination of All Forms of Discrimination against Women

Report of the Secretary-General

Corrigendum

Paragraphs 9, 10 and 11

The paragraphs *should read*

9. From 1 August 2001 to 31 August 2002, the reports of 12 States parties were received by the Secretary-General: Albania (combined, initial and second periodic reports); Argentina (fifth periodic report); Canada (fifth periodic report); Congo (combined initial, second, third, fourth and fifth periodic reports); Ecuador (combined fourth and fifth periodic reports); France (fifth periodic report) Guatemala (fifth periodic report); Luxembourg (fourth periodic report); Saint Kitts and Nevis (combined initial, second, third and fourth periodic reports); Suriname (combined initial and second periodic reports); and Yemen (fifth periodic report).

10. From 1 August 2001 to 31 August 2002, at its twenty-sixth and twenty-seventh sessions and at the exceptional session authorized by the General Assembly in its resolution 56/229,[1] the Committee considered 31 reports submitted by 26 States parties.

11. As at 31 August 2002, reports submitted by 17 States parties had yet to be considered by the Committee. The Committee will consider the reports of the 8 States parties during its twenty-eighth session, in January 2003. As at 31 August 2002, there were 264 overdue reports, of which 45 were initial reports, 63 were second periodic reports, 56 were third periodic reports, 49 were fourth periodic reports and 51 were fifth periodic reports.

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Item 9 of the provisional agenda*
General debate

Letter dated 13 September 2002 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith the text of the written statement of the delegation of the United Kingdom in exercise of the right of reply to the remarks made by the Prime Minister of Mauritius on 13 September 2002 in the General Assembly (see annex).

I should be most grateful if you could arrange to have the text of the present letter and the annexed statement circulated as a document of the General Assembly, under agenda item 9.

(*Signed*) Jeremy **Greenstock**
Permanent Representative

* A/57/150.

02-59164 (E) 170902

Annex to the letter dated 13 September 2002 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

Statement of the delegation of the United Kingdom of Great Britain and Northern Ireland in exercise of the right of reply to the remarks made by the Prime Minister of Mauritius in the general debate on 13 September 2002

The British Government maintains that the British Indian Ocean Territory is British and has been since 1814. It does not recognize the sovereignty claim of the Mauritian Government. However, the British Government has recognized Mauritius as the only State which has a right to assert a claim of sovereignty when the United Kingdom relinquishes its own sovereignty.

Successive British Governments have given undertakings to the Government of Mauritius that the Territory will be ceded when no longer required for defence purposes, subject to the requirements of international law.

The British Government remains open to discussions regarding arrangements governing the British Indian Ocean Territory or the future of the Territory. The British Government has stated that when the time comes for the Territory to be ceded it will liaise closely with the Government of Mauritius.

The British Government values its close and constructive cooperation with the Government of Mauritius on a wide range of issues and looks forward to this continuing.

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Security Council

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General Assembly
Fifty-seventh session
Item 162 of the provisional agenda*
Measures to eliminate international terrorism

Security Council
Fifty-seventh year

Identical letters dated 15 September 2002 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

Upon the instruction of my Government, I have the honour to transmit herewith the letter from Eduard Shevardnadze, President of Georgia, on the threat of use of force by the Russian Federation against Georgia.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under item 162 of the provisional agenda, and of the Security Council.

(*Signed*) Revaz **Adamia**
Ambassador
Permanent Representative

* A/57/150.

02-59196 (E) 180902

Annex to the identical letters dated 15 September 2002 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

The current circumstances are forcing the Government of Georgia to appeal to you with the request to duly respond to the statement of the President of the Russian Federation made on 11 September 2002 in which President Putin, while relying exclusively on the Russian version of the situation in the Pankisi Gorge in eastern Georgia, resorted to an undisguised threat of force towards a neighbouring State — a member of the United Nations.

One cannot describe otherwise the accusations put forward with respect to the situation in the Pankisi Gorge. In addition, public opinion is actively being formed whereby problems existing in the Pankisi Gorge are presented as ones that beget and fuel troubles in Chechnya and elsewhere in southern Russia. It is hard to imagine a clearer example of confusing the cause and the effect. In reality, problems in the Pankisi Gorge have arisen specifically as a result of the military operation conducted in Chechnya, during which Russian armed forces could not or would not keep military actions within the boundaries of Russia and allowed the "spreading" of the conflict onto the territory of a well-disposed, friendly, sovereign neighbouring nation.

Georgia has repeatedly voiced public warnings regarding the inadmissibility and danger of a spillover of the conflict onto its territory; relevant statements were made in all major international organizations. Regrettably, however, our appeals never evoked a due response from the Russian side. Moreover, according to the available materials, armed individuals were, in fact, allowed to enter the territory of Georgia through the official Russian border checkpoints.

At the same time, Russia's mass media and public officials, the leadership of the Ministry of Defence of the Russian Federation in particular, started to heat up the situation by asserting that Georgia was the main supplier of armaments to the conflict zone. In order to prove the absurdity of such statements, which must be obvious to anyone who has at least once observed the terrain of this mountainous region, Georgia has demanded and achieved the establishment of international control on the Chechen and Ingush segments of the Georgian-Russian State border. The activities of the Organization for Security and Cooperation in Europe (OSCE) monitoring mission, which, incidentally, includes several Russian observers as well, have clearly demonstrated that there has been no threat to Russia emanating from Georgia. On the other hand, during the same period of time the OSCE observers have recorded numerous violations of Georgia's sovereignty by Russian bombers and military helicopters as they attacked adjacent villages, which caused wounds and loss of life among innocent civilians.

Despite the indisputable proof of the acts of aggression that Georgia and the OSCE observers have at their disposal, Moscow denies the above-mentioned bombings and refuses to conduct a joint investigation.

All of the above gives one sufficient ground to think that the issue of the Pankisi Gorge is artificially sustained in order to pressure Georgia, to tarnish its international reputation, to provoke destabilization and to disrupt the

implementation of the major economic projects of the Europe-Asia transport corridor and the transit of hydrocarbons from the Caspian region through Georgia.

The accusation of the violation of United Nations Security Council resolution 1373 (2001) dated 28 September 2001 brought against Georgia is based on a somewhat arbitrary interpretation of the document and appears to be an attempt to discredit an active member of the international anti-terrorist coalition, whose positive contribution to the struggle against terrorism has been noted on many occasions by the leading nations of the aforementioned coalition, which also happen to be members of the United Nations Security Council.

Here one also ought to point out the unaptness of the reference to article 51 of the United Nations Charter, which allows the attacked State to render armed resistance in order to defend its territorial integrity and sovereignty. The Russian Federation has not been subjected to armed aggression by Georgia, while those armed individuals penetrating the territory of Georgia from Russia and then moving back are mostly citizens of the Russian Federation, who have been methodically "squeezed" out onto the Georgian territory.

Incidentally, it is worth recalling that some of those who fought in Chechnya had previously received combat experience in 1992-1993, in the war against Georgia. At the time, many organized groups of the Chechen fighters led by Basaev, who is currently regarded by Russia as the chief terrorist, were dispatched to Georgia with the assistance of the Russian special services. Any protest on the part of the Georgian Government was invariably met with a cynical remark that the Russian authorities did not bear any responsibility for the penetration of "volunteers" from the territory of Russia and that Georgia must unilaterally provide security on its borders. Also, one can hardly keep from remembering that it was the Russian military aircraft that kept bombing Sukhumi and other peaceful communities.

Today, the opposite is asserted regarding the Pankisi Gorge. Repeated attempts are being made to blame Georgia for its inability to provide security for Russia on the Chechen segment of the Georgian-Russian State border, where the current situation has been deliberately created by the Russian Federation itself.

For our part, we have been trying to resolve the conflict by peaceful means. In my letter to the President of the Russian Federation, Mr. Putin, I have once more appealed to the leadership of Russia and the President himself to find a common tongue, to rise above the existing problems and to develop good-neighbourly relations between our peoples. We have also indicated our readiness to receive an OSCE group of experts, including representatives of the Russian Federation, who will be provided with opportunities to visit any site at any time and will be expected to write a report on the actual situation on the ground. Yet, I am convinced that only with the active support of the world community of nations will we manage to maintain territorial integrity and provide security for the Georgian people.

We are appealing to you with the hope that the international community will not allow the violation of the territorial integrity and sovereignty of a Member State of the United Nations to take place and will guard Georgia from acts of aggression by one of the mighty military-political powers of the world.

(*Signed*) Eduard **Shevardnadze**

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General Assembly
Fifty-seventh session
Item 162 of the provisional agenda*
Measures to eliminate international terrorism

Security Council
Fifty-seventh year

Letter dated 13 September 2002 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General

Upon the instruction of my Government, I have the honour to transmit herewith the text of the statement of the Ministry for Foreign Affairs of Georgia of 12 September 2002 on the threat of use of force by the Russian Federation against Georgia.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under item 162 of the provisional agenda, and of the Security Council.

(*Signed*) Revaz **Adamia**
Ambassador
Permanent Representative

* A/57/150.

02-59272 (E) 180902

Annex to the letter dated 13 September 2002 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General

Statement by the Ministry for Foreign Affairs of Georgia

Georgia is extremely alarmed by the statement of the President of the Russian Federation, Mr. Vladimir Putin, made during the Sochi meeting on 11 September 2002. The statement contains an overt threat to use military force against a neighbouring sovereign State.

One can only regret that these words were voiced on 11 September, the day when the attention of the world community was focused on the last year's barbaric terrorist attack and global efforts to fight this menace.

It is extremely surprising that such accusations were made, despite the fact that the Russian side had been informed in detail through the channels established between the special services of both States regarding all the arrangements planned and conducted by the Georgian military and law-enforcement agencies to improve the criminal situation in the Pankisi Gorge and on the Chechen segment of the Georgian-Russian State border.

The Ministry for Foreign Affairs of Georgia considers that the accusations put forward in the statement are groundless and do not reflect the objective reality. In order to demonstrate real developments on this matter, Georgia expresses its readiness to receive, in the shortest period of time, the group of international experts in the framework of the Organization for Security and Cooperation in Europe (OSCE), including representatives of the Russian Federation, for the purpose of visiting and familiarizing themselves with the actual situation in the Pankisi Gorge and on the Chechen segment of the Georgian-Russian State border.

The Georgian side is being called upon to control its territory at the very moment when the measures against criminal elements and fighters are entering a decisive phase.

The Georgian side has been repeatedly stressing that it is open to close cooperation in the struggle against terrorism as envisaged by the global anti-terrorism coalition, including the Russian Federation, whose territorial integrity and right to protect its own citizens from the malice of terrorism has always been respected by Georgia.

However, the assignments given out to the Russian law-enforcement agencies by President Putin on 11 September do not in any way fall under the universally accepted international norms of inter-State relations and cannot be assessed otherwise but as a threat of aggression from the Russian Federation against a neighbouring sovereign State.

In this regard, the Ministry for Foreign Affairs of Georgia considers totally unacceptable the liberal, if mildly put, interpretation of Article 51 of the United Nations Charter, which was invoked at the Sochi meeting and is aimed at the justification of such aggressive intentions.

The Georgian side is insisting that Russia refrain from taking thoughtless steps, which can only entail new destruction and casualties, destabilize the situation in the entire Caucasus and irrevocably affect Georgian-Russian relations.

The Ministry for Foreign Affairs of Georgia is appealing to the United Nations, OSCE and all the world community to take decisive measures against such a development of events in the Caucasus region.

Tbilisi, 12 September 2002